

1 KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
2 BRIAN L. FERRALL - # 160847
DAVID SILBERT - # 173128
3 MICHAEL S. KWUN - #198945
ASHOK RAMANI - # 200020
4 633 Battery Street
San Francisco, CA 94111-1809
5 Telephone: (415) 391-5400
Email: rvannest@kvn.com;
6 bferrall@kvn.com; dsilbert@kvn.com;
mkwun@kvn.com, aramani@kvn.com

SUSAN CREIGHTON, SBN 135528
SCOTT A. SHER, SBN 190053
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
1700 K Street NW, Fifth Floor
Washington, D.C., 20006-3817
Telephone: (202) 973-8800
Email: screighton@wsgr.com;
ssher@wsgr.com

7
8 JONATHAN M. JACOBSON, NY SBN 1350495
CHUL PAK (*pro hac vice*)
DAVID H. REICHENBERG (*pro hac vice*)
9 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
10 1301 Avenue Of The Americas, 40th Floor
New York, NY 10019-6022
11 Telephone: (212) 999-5800
Email: jjacobson@wsgr.com; cpak@wsgr.com;
12 dreichenberg@wsgr.com

13 Attorneys for Defendant ARISTA NETWORKS, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 CISCO SYSTEMS, INC.,
18

19 Plaintiff,

20 v.

21 ARISTA NETWORKS, INC.,

22 Defendant.
23
24
25
26
27
28

Case No. 5:14-cv-05344-BLF

**DECLARATION OF ELIZABETH K.
McCLOSKEY IN SUPPORT OF ARISTA
NETWORKS, INC.'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

Date Filed: December 5, 2014

Trial Date: November 21, 2016

1 I, ELIZABETH McCLOSKEY, declare and state as follows:

2 1. I am an attorney licensed to practice law in the State of California and admitted to
3 practice before this Court. I am an associate at the law firm of Keker & Van Nest LLP and
4 counsel for Defendant Arista Networks, Inc. in the above-captioned action.

5 2. I have personal knowledge of the facts stated herein and, if called as a witness, I
6 could testify competently thereto.

7 3. Cisco designated Exhibits 2-3, 6, 8-9, 11-14, 17, 19, and 27 to the Declaration of
8 Elizabeth K. McCloskey in support of Arista's Opposition to Cisco's Motion for Protective Order
9 as "Confidential." True and correct copies of those exhibits are attached hereto.

10 4. Cisco designated Exhibits 4-5, 7, 10, 15-16, 18, 20-26, 28, and 30-31, and 34-35 to
11 the Declaration of Elizabeth K. McCloskey in support of Arista's Opposition to Cisco's Motion
12 for Protective Order as "Highly Confidential – Attorney's Eyes Only." True and correct copies of
13 those exhibits are attached here.

14 5. Exhibit 32 to the Declaration of Elizabeth K. McCloskey in support of Arista's
15 Opposition to Cisco's Motion for Protective Order is the deposition transcript of Mr. Gourlay.
16 Arista designated Mr. Gourlay's deposition transcript "Highly Confidential – Attorney's Eyes
17 Only." However, Arista takes no position on whether the portion of Mr. Gourlay's deposition
18 that is attached to its opposition brief should be filed under seal. A true and correct copy of that
19 exhibit is attached here.

20 6. Portions of Arista's Opposition to Cisco's Motion for Protective Order reference
21 information contained in the foregoing exhibits. Arista has redacted those portions for public
22 filing. An unredacted version with highlighting indicating the redacted portions is attached hereto.

23 //

24 //

25 //

26 //

27 //

28 //

1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct, and that this declaration was executed on June 7, 2016, in San Francisco,
3 California.

4
5 
6

7 ELIZABETH MCCLOSKEY
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28